

	Policy Type	Number	Title	Created	Revised
	Finance and Administration	FA P014	Non Payment of Rent Policy	August 2013	June 2018

Policy Statement

This is a policy on eviction prevention related to the non-payment of rent. Tenants are responsible for paying their full rent on or by the first day of every month and reporting changes in income or household composition so that their rent is calculated properly.

Evangel Hall Mission (*ehm*) is committed to working with tenants so that they meet these responsibilities and, wherever possible, prevent tenants from losing their housing.

Recognizing its role in providing safe, affordable housing as well as its responsibilities under the *Ontario Human Rights Code*, the *Residential Tenancies Act* and the *Social Housing Reform Act*, *ehm* will proactively work with its tenants wherever possible to prevent their eviction. *ehm* also recognizes the role that tenants must play in preventing eviction.

Purpose

The purpose of this policy is to provide a formalized and systematic approach that creates opportunities for tenants to work with staff to retain their tenancies. This approach will help to identify strategies which will meet the needs of both tenant and *ehm* and may identify instances where accommodation is required. The service co-ordination approach outlined in the procedures will be implemented in cases where there is no threat to the safety of staff, tenants, or members of the community.

Scope

This policy applies to all employees working in, and tenants living in, the *ehm* Residence.

Policy

1. Responsibilities

1.1. Tenant's Responsibilities

- a. Tenants are responsible for meeting their obligations under their signed lease with *ehm*. These obligations are consistent with some or all of the *Residential Tenancies Act, 2006*, the *Social Housing Reform Act, 2000*, and the *Ontario Human Rights Code, 1990*, and their Regulations.
- b. Tenants' responsibilities include, but are not limited to:
 - payment of their rent, in full, on or before the first day of every month;
 - reporting changes in household composition and/or income to ensure accurate and timely calculations of rent and to prevent loss of rental subsidy

1.2. ehm's Responsibilities

ehm's responsibilities, as they relate to fulfilling tenant responsibilities and supporting successful tenancies, include:

- a. providing tenants with clear, complete and accurate information regarding their subsidy and rent
- b. offering payment method options, such as cash, cheque or money order
- c. providing information about resources available in the community which may support a successful tenancy including, but not limited to, legal clinics, food banks, and settlement and translation services
- d. working with the tenant to identify necessary accommodations under the *Ontario Human Rights Code, 1990*, implemented in accordance with the non-profit's *Accommodation Policy*.
- e. ehm will, in accordance with its Accommodation Policy, provide all information in alternative formats, as requested, and will work with the tenant(s) to identify appropriate ways to convey information and requirements in a timely manner.

2. Managing Arrears

- a. ehm will ensure that Notices of Termination and Applications with regards to non-payment of rent are served and filed. If the tenant does not pay the rent by the fourth day of the month, a reminder letter is delivered under their unit door by *ehm* Residence staff. This letter informs the tenant:
 - that if full payment is not received within two business days an N4 (Notice to End a Tenancy Early for Non-payment of Rent) may be issued.
 - that they can speak with staff about arrears payment options and/or to clarify concerns and answer questions.
 - that they may enter into an Arrears Payment Agreement where the full arrears amount is paid within 3 consecutive months. Tenants are limited to one Arrears Payment Agreement per year.
 - of local resources and supports which may assist the tenants, such as community legal clinics
 - ehm will seek to ensure that the N4 is served by the 15th day of each month to all tenants who do not pay their rent on time. If an accommodation has been identified, notice will be issued in a format consistent with the accommodation requirements. The alternate means of conveying the N4 will be documented in the tenant's file.
 - a 24 hour notice of entry will be served to the unit after the termination date on the N4 Notice to determine if the tenant has already vacated. If the tenant still resides in the unit, this will allow a final opportunity to work with the tenant to prevent eviction.
- b. If there is no resolution following a unit visit, an application to Terminate (L1) will be filed with the LTB.
- c. Prior to the LTB hearing, ehm will make an effort to contact the tenant in arrears to assess their willingness to pay the arrears or enter into a payment agreement prior to filing an LTB order with the Sheriff's office. On the day of the hearing, ehm will make every effort to resolve the issue with the assistance of a Landlord Tenant Board mediator.

- d. If all efforts fail, as soon as the LTB has issued an eviction order, ehm will contact the tenant(s). The goal is to ensure that the tenants understand that they can still pay all monies owed to retain their unit
- e. Where a tenant has failed to accept, co-operate with, and/or comply with arrangements for rent payment, the non-profit will enforce the LTB order to evict the tenant. Enforcement of an LTB order must be made within six months of the date of the order.
- f. Recognizing that arrears can lead to significant financial loss for the corporation, the Board of Directors will review and approve to accept, at each Board Meeting, a report outlining arrears for:
 - the previous 30 days
 - previous 30 to 60 days
 - previous 60 to 90 days

3. Resources and Services – Service Coordination

- a. ehm recognizes that helping tenants to maintain their tenancy may require the support and assistance of staff, community-based partners, and the tenant(s)'s family and peers. The goal of service coordination will be to identify, with the assistance of the tenant and other identified stakeholders, longer-term solutions which will lead to lasting improvements in rent payment practices. The necessary interventions will range from arrears payment agreements to more complex interventions.
- b. Depending on the availability of community-based supports and the tenant(s)' family and peers, staff of ehm may be required to take a leadership role and coordinate access to, and delivery of, services, with the tenant(s)' co-operation, particularly in the short-term. Staff will look to other agencies to assume a lead role in coordinating services, where possible and appropriate.
- c. ehm will maintain a list of resources available in the community that may assist in preventing evictions and preserving tenancies. The list will include, but not be limited to the following:
 - providers of community and hospital-based mental health and addictions supports;
 - food banks;
 - settlement and translation services;
 - support services mandated to provide support to those leaving domestic abuse; and,
 - other community-based programs and services which may be of benefit to tenants and their families.